

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

Case No. 24-60191

Lifeback Law Firm, P.A.,

Chapter 11 Case

Debtor

**APPLICATION BY THE DEBTOR TO EMPLOY LAMEY LAW FIRM, P.A., AS ITS
DEBTOR-IN-POSSESSION COUNSEL**

Lifeback Law Firm, P.A. (“Debtor”), through Wesley Scott, President of Lifeback Law Firm, P.A., hereby submits this application (the “Application”) for the entry of an order authorizing its retention and employment of Lamey Law Firm, P.A. (“Lamey Law”) as its counsel in this chapter 11 matter. In support of this Application, the Debtor respectfully states as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this Application pursuant to 28 U.S.C. §§ 157 and 1334, Bankruptcy Rule 5005 and Local Rule 1070-1. This matter is a core proceeding under 28 U.S.C. § 157(b)(2). Venue of this Chapter 11 case and this Application in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

BACKGROUND

2. The Debtor filed for relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (the “Bankruptcy Code”), on April 28, 2024, (the “Filing Date”) and the Debtor is currently serving as debtor-in-possession.

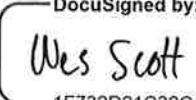
3. Pursuant to Section 327(a) of the Bankruptcy Code, the Debtor wishes to employ

Lamey Law to assist it in carrying out its duties under the Bankruptcy Code.

4. The Debtor has selected Lamey Law because they are attorneys capable in legal matters of this nature. Lamey Law does not hold conflicts with regard to any of the creditors or other interested parties. The billing rates for Lamey Law are set forth in the accompanying declaration of John D. Lamey III. Hourly work performed by persons employed by Lamey Law, or contracted with Lamey Law, will be recorded in increments of tenths of an hour, as required by local practice.

5. The Debtor therefore requests an order of this court authorizing employment of Lamey Law as its attorneys under the terms and conditions set forth herein.

Dated: April 27, 2024

DocuSigned by:

Wesley Scott
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Wesley Scott, President

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**DECLARATION UNDER PENALTY OF PERJURY BY
JOHN D. LAMEY III**

John D. Lamey III, states as follows:

1. I am an attorney duly licensed to practice law and admitted to practice before the state and federal courts of Minnesota and am an attorney in good standing, practicing with the law firm of Lamey Law Firm, P.A. (“Lamey Law”), 980 Inwood Avenue North, Oakdale, Minnesota 55128. This affidavit is submitted in support of the application of Lifeback Law Firm, P.A. (“Debtor”) to retain Lamey Law, as its counsel in the above-referenced bankruptcy case.
2. If Lamey Law’s application is approved, it will act as counsel to assist the Debtor with its obligations under the Bankruptcy Code. Lamey Law has reviewed the creditors in the case and other parties in interest, and it does not have any relationship with any such parties, nor does Lamey Law or the undersigned have any connections with the Debtor, creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.
3. If Lamey Law is retained as counsel for the Debtor, it will perform such services according to its best skill and ability and agree, by execution hereof, to act in the capacity of legal counsel to the Debtor in pursuit of its successful resolution of this case.
4. If Lamey Law is retained and engaged as counsel for the Debtor, the compensation paid to them for professional services rendered and to be rendered in connection with the case will

be calculated according to the hourly rates of persons employed by Lamey Law, established from time to time, subject to court approval, as provided in the Bankruptcy Code. The current hourly rate of the undersigned is \$375.00. The billing rate for associate attorneys or contract attorneys is \$300.00 per hour. The billing rate for law clerks is \$150.00 per hour, and paralegals are \$130.00 per hour. The undersigned and Lamey Law request that it be allowed to apply to the court on interim applications not more than once every thirty (30) days for approval of such compensation, unless otherwise ordered by the court.

5. Neither the undersigned nor Lamey Law have received from the Debtor any transfer, assignment, or pledge of property for fees or costs to be incurred in this proceeding other than: Lamey Law did receive a \$10,000.00 retainer payment for pre-filing services and the court filing fee of \$1,737.00. The balance remaining at the time of filing is \$2,263.00, and such balance will be held in trust until such time the court awards fees and expenses to Lamey Law.

6. Neither the undersigned nor Lamey Law has made any agreement for the sharing of any fees earned in connection with said representation.

Dated: April 28, 2024

Signed: /s/ John D. Lamey III, Esq.

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UNSWORN DECLARATION FOR PROOF OF SERVICE

John D. Lamey III, an attorney licensed to practice law in this Court, and employed by LAMEY LAW FIRM, P.A., with an office address of 980 Inwood Avenue North, Oakdale, Minnesota 55128, declares that on the date stated below, I served the following: **APPLICATION BY THE DEBTOR TO EMPLOY LAMEY LAW FIRM, P.A., AS ITS DEBTOR IN POSSESSION COUNSEL** upon each of the entities named below the method indicated:

Lifeback Law Firm, P.A. (via email only)

and delivered by e-mail notification under CM/ECF on the day e-filed with the Court to each entity below:

US Trustee
ustpregion12.mn.ecf@usdoj.gov

AND ANY OTHER PERSONS OR ENTITIES SIGNED UP FOR NOTICE ON THIS CASE.

And I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: April 29, 2024

Signed: /s/ John D. Lamey III

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ORDER AUTHORIZING EMPLOYMENT OF LAMEY LAW FIRM, P.A.

Lifeback Law Firm, P.A. filed an application to employ the law firm of Lamey Law Firm, P.A., as its counsel.

IT IS HEREBY ORDERED:

1. Lifeback Law Firm, P.A. may employ Lamey Law Firm, P.A., as its counsel, subject to the provisions of 11 U.S.C. sections 327(e), 328, and 330; and
2. Lamey Law Firm, P.A. is authorized to schedule a hearing for allowance of its professional fees and expenses under 11 U.S.C. sections 330 and 331 not more than once every thirty (30) days.

Dated:

Michael E. Ridgway
United States Bankruptcy Judge